

MINUTES
RED BANK BOARD OF ADJUSTMENT
February 2, 2023

The Red Bank Zoning Board held a Zoning Board of Adjustment meeting on Thursday February 2, 2023 at 6:30 pm, via Zoom in the Municipal building, first floor Council Chambers, 90 Monmouth Street, Red Bank, New Jersey.

Chair Lauren Nicosia called the meeting to order at 6:35 pm. The Board saluted the flag. A roll call showed the following members in attendance: Lauren Nicosia, Richard Angowski,, Eileen Hogan, Christine Irwin, Sean Murphy, Ray Mass, Sharon Lee, and Vincent Light. Kevin Kennedy, Esq., Board Attorney and Shawna Ebanks P.P. AICP, Director of Community Development and Ed Herrman, PE and Chris Ann DeGenaro, Board Secretary.

Lauren Nicosia read the Open Public Meeting Statement Act. An Adequate and electronic notice with the time, place and matter was posted in the two newspapers, with the Borough Clerk's office, the Borough website and posted outside the Red Bank Meeting room and on the front door of Borough Hall.

Ray Mass made a motion to approve the Resolution for 69 Branch Avenue seconded by Eileen Hogan. Ayes: Lauren Nicosia, Richard Angowski, Eileen Hogan, Sean Murphy, Ray Mass and Vincent Light. Nays: none.

Sean Murphy made a motion to approve the Resolution for 156 West Front Street seconded by Richard Angowski. Ayes: Lauren Nicosia, Richard Angowski, Eileen Hogan, Sean Murphy, Ray Mass, Sharon Lee and Vincent Light. Nays: none.

Applications:

Z14985: 32 North Bridge Avenue; Block 2, Lot 12.01

The applicant proposed to enlarge the building to provide a new showroom containing approximately 234 sq. ft. to the existing non-conforming structure. Shawna Ebanks was sworn.

The following Exhibits were entered: A-1: Application A-2; Intent to Proceed A-3; Survey: A-4; Colored Rendering prepared by Michael Savarese: A-5; Plans prepared by Michael Savarese: A-6; Review Letter from Shawna Ebanks.

The applicant was represented by Kevin Assadi, Esq. He explained the application proposed to revitalize the building to be more aesthetically pleasing.

Stephen McLeod, the business property owner, was sworn. Monmouth Plate Glass has been in business since the 1930's and has been in this location about 3 years. They are a glazing contracting company. They process commercial and residential work. The recently did the work for Denholtz Properties, The Rail.

They do shower enclosures and tabletops. They also service the hospital, Borough Schools, Long Branch Schools and Rumson Schools.

They perform retail functions but the current office is very small. They are it as efficiently as possible. The proposed enlargement will be safer and should comply with the insurance company.

Currently it is difficult to have more than 2-3 people at a time in this confined space.

There is no retail display area and his office is on the second floor. 5 -20 people daily enter the facility.

The hours of operation are M-F 8:00am – 5:00pm

Gary Carpenter, 12 Castle Drive, Middletown, was sworn. He has a commercial property several doors down from this property. He affirms everything Mr. McLeod has said. Since obtaining ownership of the property, he has improve the neighborhood, including removing a fence and cleaning up the trash. He did request if maybe a little more landscaping could be done. There are currently planters in front, that do not have plants.

Shawna Ebanks confirmed with Mr. Asadi that the signage in the rendering is just a part of the rendering, it is not a part of this application. Any signage proposed later will comply.

The boxed planters shown on the plans; which are in the front and back, will have new plants planted.

A motion was made by Sean Murphy, seconded by Ray Mass to approve the application. Ayes: Lauren Nicosia, Richard Angowski, Eileen Hogan, Christine Irwin, Sean Murphy, Ray Mass and Sharon Lee. Nays: none.

Z187 Riverside Avenue; Block 4.01, Lots 1&2

The applicant proposed to modernize the existing billboard sign on the property by replacing it with a new, relocated structure, which will be 40 ft. in height and contain a digital sign face with LED multi – message technology with a total sign face area of 452.72 sq. ft. Billboard signs are not permitted in the Borough.

The following Exhibits were entered: A1; Application: A-2; Application Narrative; A-3; Intent to Proceed: A-4; Plans prepared by Tiago Duarte (4 sheets): A-5; Survey prepared by James Conway (1 sheet): A-6; Notice of Hearing; A-7; Affidavit of Service and A-8; T&M Review Letter.

Jennifer Krimko, Esq., represented the applicant.

This property consists of two lots, but operates as one parcel. There were two prior historic billboards.

They removed the rooftop sign and their intent is to modernize the one existing sign.

They discussed in great length if the application requires a (d)1, (d)2 or no (d) variance at all.

They know a (c) variance and a site plan is required.

The following Exhibits were entered: A-9; Outdoor Advertising Permit to the DOT: A-10 Lighting Plan prepared by Dynamic Engineering dated 1/6/23 (1 sheet): A-11; Sign View Angle (1 sheet): A-12; Sample Packet of Protocol Services Offered to Municipalities: A-13; Protocol B: A-14; Sample Emergency Services Packet (18 sheets): A-15; Photos of Temporary Signs located on the property: A-16; Photo Package of Existing Site and a Computer Generated Advantage of the same sight.

There was discussion between Sean Murphy and Ms. Krimko confirming they are only applying for the variances for one sign.

John Antal, General Manager of Outfront Media for New Jersey, was sworn.

In New Jersey they operate over 3,900 displays, 93 of which are digital billboards. They own the billboards.

The property is located on the Southeast corner of Riverside Avenue. The sign that currently exists has been there since the 1960's.

The existing ground sign is 480 sq. ft. The lot is suitable for this purpose, because of the ease of access to construct and maintain the billboard and it can meet all the requirements of the DOT. Also, its' nearness to the Coopers Bridge, makes it visible for all to see, as this is the gateway into the Borough.

The height of the current sign is 22 ft. and 40 ft. is proposed. The current sign measures 454.72 sq. ft. 11.55 ft. height X 39.37 ft. wide is proposed. The multi message digital sign will sit atop a steel pole. You need a new structure, new steel support, to modernize, as the existing supports will not work. The new sign will line up with the view of the 4 lanes of Coopers Bridge, providing better visibility. Previously the bridge was 2 lanes.

The DOT does a field visit to the site during the application process. Once approved, the applicant can proceed forward with the application to the Borough. Their approval is renewed annually and is due March 2023.

The advertising procedure has evolved. Originally, signs were painted on wood; then they were printed on vinyl.

A digital sign consists of a range of diodes on a panel. These are LED.

The signs are heavily regulated by the DOT. The ad is changed every 8 seconds, providing up to 8 advertising messages in a cycle.

There is no need for people at site, as any changes/problems can be done remotely.

There is no motion, no video and no waving permitted on the sign.

There are several of these signs in Ocean Township and Eatontown.

The light emitted is automatically adjusted and changes in relation to the natural light around it. The current sign is illuminated with a fixed light at night.

The sign is monitored by cameras and computers. If there are any problems, they can remotely access the controls. By law, they must have an internal function to be critical failsafe.

The benefits include advertisers to be able to display timely and relevant messages (such as restaurant running their breakfast specials in the morning, lunch in the afternoon and dinner in the evening). Typically, these signs are found on a state highway.

Emergency messages can be displayed on the federal, state and local level.

Public service and municipal announcements can be displayed.

Mr. Antal described how the agreement works with a town.

Protocol A, no charge to the municipality, would display highly-emergent messages, not routine traffic alerts. They would establish a designee with the town, who would be provided a unique code. When the need to display a message occurs, the designee would call the company, enter the unique code, then the team creates the ad; which is posted for 1 hour, before being put into the rotation.

Protocol B, also no charge to the municipality, would display township events, such as a fair or events from the parks and recreation department. The information is provided to the company about 3-5 days in advance. The ad is created and put into the rotation, when space available. If the sign is sold-out, then there is no availability. There is typically 10-15% availability during a busy season.

Advertisers generally want to buy days or a whole month, not just certain times of day.

They have a large local presence in New Jersey and are easily accessible.

The Police Department uses the sign in Holmdel. Ocean Township is used by the town.

They are a lessee, they own the billboard, not the property. They have the lease for the existing billboard on this property.

There was a question as to whether digital signs create more revenue than regular signs. Sometimes they can.

The company owns one of the billboards located at the intersection of West Front and Broad Streets.

Ms. Krimko read the State restrictions for digital signs and the DOT reviews these items for each application. The safety is registered by State code.

No height variance is required for this application, as they prepared the application to be within the guidelines. 40 ft. is the maximum height for a principal use structure.

Per our Ordinance, a structure is only considered an accessory structure, if it is advertising the use on the property. Since this doesn't relate to any use on the property, it is considered a principal use structure. An example would be a gas station sign advertising gas.

There are no issues from residents after the construction as to lighting issues for signs in other towns. An advertiser would get 1,350 eight-second ads during a 24-hour period.

Public Questions:

Andrew Deming, Reckless Place, was sworn. He questioned if they knew the definition of being grandfathered in. Ms. Krimko objected to this question.

Cindy Burnham, 71 Wallace Street, was sworn. She questioned if the applicant was aware this particular area is the busiest junction in town and if this was wise to have people looking at a sign.

Mr. Antal stated yes it is.

Jay Herman, 11 Vista Place, was sworn. He confirmed that there are 25 signs in town and Outfront Media owns 22 of them. He also questioned if the revenue generated from the 93 existing digital signs they have throughout the state generate 10 times more revenue than the previous billboard signs.

Mr. Antal did not know if it was that much and Ms. Krimko added that it depends on the individual sign.

Bob Zuckerman, Executive Director of Red Bank RiverCenter, was sworn. He questioned if there are similar signs in downtown areas, and not on state highways. Mr. Antal didn't know. He confirmed that 30% of the ads are regional/national and 70% are local businesses. It was also explained that in the industry, there is consolidation of the companies owning the billboards. In 2013, Outfront Media took over the company that previously owned this billboard

Suzanne Viscomi, 25 Cedar Street, was sworn. She confirmed that a local business would not be offered a discount to promote our business center.

Tom Houston, property owner in Red Bank was sworn. He confirmed the existing and proposed height.

The Board took a break and on return a roll call showed the same members in attendance.

Vincent Light questioned information he read in the exhibit documents regarding a digital sign approval for a sign located on Route 520 and wanted to know if this in Red Bank. After some discussion, it was determined it might be.

Mr. Antal explained they apply for a digital permits throughout the state. If they hold the permit, no one else can apply for another permit, as there are distance requirements of 3,000 feet. Just because they hold the permit, does not mean they have plans to develop it. As of right now, there are no future plans to develop a digital sign in Red Bank, other than this application.

Tiago Duarte, Engineer, was sworn and accepted as an expert witness.

This is a minor site plan. There was a fuel/service station on site, accessible from Bridge and Riverside Avenues.

The existing sign measures 12 X 40, with a clearance of 10ft. from pavement to bottom of sign base.

Currently there are 6 I-beams. This structure cannot meet the digital requirements.

The new sign would be located in generally the same area, so as not to disturb any future development.

The front set-back of 25 ft. from Bridge Avenue complies with the front yard set-back. This shifts the sign slightly west, but still maintaining visibility from Coopers Bridge.

Ray Mass clarified this is not an expansion of existing sign, but a new construction, from a physical perspective.

Jennifer Krimko will explain later.

Mr. Duarte explained the sign measures 11.55 ft. X 39.7 ft. for a total of 454.72 sq. ft.

This is a 5.3% reduction from existing sign face area. The sign will be on a single steel pole support structure. The overall height is 40 ft. It will have a 93.4 ft. front setback to Riverside Avenue. There is a 0.6 ft. set-back proposed on the south-side; whereas, 0.2 ft. set-back exists.

They reviewed photos taken by Mr. Duarte and they were able to superimpose what a sign would look like on the property, from all views. There would be no light on the back of the sign.

Exhibit A-17; Computer Generated Photo Simulation taken by 61 Bridge Avenue was entered.

The lighting consists of panels and a steel frame with LED's of red yellow and blue, the primary diodes. There will be no spillage up or down, just to the targeted audience on route 35. The image will be crisp. If looking at back of sign at night standing at 61 bridge you can see light currently. You will not see that with the proposed sign, as no light is emitted from the rear of structure. Since there is no copy, no physical image, it is relying on the diodes to create the image. The brightness is automatically controlled to overcome the natural lighting, depending if it is nighttime, clear blue skies or a cloudy day.

The sign will be programmed, so if there are any malfunctions, the sign will turn off. It is a function of the diodes. LED technology restricts where the image/light is visible. The lighting exhibit A-10 was reviewed and they discussed the industry standard, which is what is proposed for this application and where the best visibility is for this site.

Vincent light clarified the optimal distance for a digital sign and it generally depends on the individual sign, including the letter size. Generally, 500 ft. is a good distance.

A motion was made by Ray Mass, seconded for Richard Angowski to carry the application until April 20, 2023, with no further notice required. All were in favor.

Anne Torre made a motion to adjourn the meeting, seconded by Bruce Maida. The meeting adjourned at 9:35pm.

Respectfully submitted,
Dina Anastasio